

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----X
BRANCH SIMMONS,

Plaintiff

-against-

ROYAL GUARD FENCE CO, INC.,
WESTBURY FENCE & GUARD RAIL CO., INC.,
RALPH GUERCIA and
RALPH GUERCIA JR.

Defendants.
-----X

Civil Action No. 14cv6001

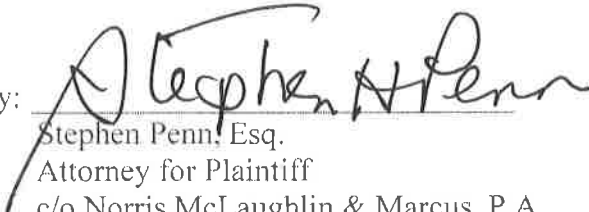
**STIPULATION OF
DISCONTINUANCE
WITH PREJUDICE**

In accordance with Rule 41(a)(1) of the Federal Rules of Civil Procedure, the parties to the above-captioned action hereby stipulate, through the undersigned counsel of record, that the above-captioned action and all claims and causes of action that were or could have been asserted therein are hereby withdrawn, with prejudice, and without costs of attorneys' fees to any party.

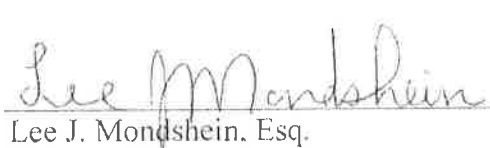
Dated: New York, New York
January 22, 2015

Penn Proefriedt Schwarzfeld & Schwartz

By:


Stephen Penn, Esq.
Attorney for Plaintiff
c/o Norris McLaughlin & Marcus, P.A.
875 Third Avenue – 8th Floor
New York, New York 10022

By:


Lee J. Mondschein, Esq.
Attorney for Defendants
445 Broadhollow Road, Suite 334
Melville, New York 11747

"SO ORDERED"

1